

MAY 18 2004

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/655,481
Applicant : Mark C. Munro
Filed : September 5, 2000
TC/A.U. : 2621
Examiner : Phuoc Tran

Confirmation No. : 8168

Docket No. : 47171-00125USC2
Customer No. : 30223

Mail Stop No Fee-Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE
37 C.F.R. 1.6

I hereby certify that this correspondence is being sent via facsimile to (703) 872-9306, addressed to Ms. Butler, Legal Instruments Examiner, Group Art Unit 2621, of the U.S. Patent and Trademark Office on the date indicated below.

May 18, 2004
Date

Maureen Hammonds
Maureen Hammonds

**COMMUNICATION TO PTO REGARDING NOTICE OF NON-COMPLIANT
AMENDMENT (37 CFR 1.121) DATED APRIL 19, 2004**

Sir:

On April 19, 2004, the PTO issued a Notice of Non-Compliant Amendment indicating that only 71 claims were pending in the application. However, it appears that the PTO had not entered the Preliminary Amendment filed along with the present application on September 5, 2000. Applicants contacted Ms. Butler at the PTO regarding the Notice of Non-Compliant Amendment and the non-entered Preliminary Amendment.

Pursuant to a telephone conference with Ms. Butler on May 13, 2004, Applicants were informed that the Preliminary Amendment has been located and will be entered. Accordingly, Response to the Restriction Requirement submitted on April 5, 2004 is believed to have been in compliance with the PTO Rules. Ms. Butler informed Applicants that we may disregard the Notice of Non-Compliant Amendment dated April 19, 2004 as it is being withdrawn.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. It is believed that no fee is presently due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47171-00125USC2.

Date: May 18, 2004

Respectfully submitted,

By:



Paul R. Kitch
Reg. No. 38,206
Jenkins & Gilchrist, P.C.
225 West Washington Street, Suite 2600
Chicago, IL 60606-3418
Tel.: (312) 425-3900

Attorneys for Applicants

MAY 18 2004

Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

225 WEST WASHINGTON ST.
SUITE 2600
CHICAGO, ILLINOIS 60606

FROM THE DESK OF:

Paul R. Kirch
(312) 425-8517(312) 425-3900
FACSIMILE (312) 425-3909

www.jenkins.com

OFFICIAL

AUSTIN, TEXAS

DALLAS, TEXAS

HOUSTON, TEXAS

LOS ANGELES, CALIFORNIA

NEW YORK, NEW YORK

PASADENA, CALIFORNIA

SAN ANTONIO, TEXAS

WASHINGTON, D.C.

1.	RECIPIENT	COMPANY	FAX NO.	PHONE NO.
	Ms. Butler Legal Instruments Examiner	USPTO Group Art Unit 2621	703-872-9306	703-308-9455

• MESSAGE •

Regarding: Appln. No. 09/655,481 - filed 9/5/00
Docket No. 47171-00125USC2**NOTICE OF CONFIDENTIALITY**

The information contained in and transmitted with this facsimile is

1. SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE;
2. ATTORNEY WORK PRODUCT; OR
3. CONFIDENTIAL.

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is *unauthorized and strictly prohibited*. If you have received this facsimile in error, please notify Jenkins & Gilchrist, a professional corporation by telephone at (312) 425-3900 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

Time: 11:04 AM

Date: May 18, 2004

Emp #: 3940

Billing #: 47171-
00125USC2

Total Pages (+ Cover): 3